

AO 440 (Rev. 06/12) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

The State of Texas

\_\_\_\_\_  
Plaintiff(s)

v.

U.S. Department of Homeland Security, et al.

\_\_\_\_\_  
Defendant(s)

Civil Action No. 2:23-cv-00055

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Jason Owens, in his official capacity as Chief of the US Border Patrol  
by registered or certified mail to:  
c/o Stephanie Rico, Civil Process Clerk at  
Office of US Attorney- WD of Texas  
601 N.W. Loop 410  
San Antonio, TX 78216-5597

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ryan D. Walters  
Office of the Attorney General  
Special Litigation Division  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548  
ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date: 10/26/23


  
Signature of Clerk or Deputy Clerk

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Civil Action No. 2:23-cv-00055

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Jason Owens, in his official capacity as Chief of the US Border Patrol  
 was received by me on *(date)* 10/26/23 .

c/o Stephanie Rico, Civil Process Clerk at  
 Office of US Attorney- WD of Texas

☒ I personally served the summons on the individual at *(place)* 601 N.W. Loop 410, San Antonio, TX 78216-5597 on *(date)* 10/30/23 ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 10/30/23

/s/ Ryan D. Walters

*Server's signature*

Ryan D. Walters, Chief for Special Litigation Division

*Printed name and title*

Office of the Attorney General  
 PO Box 12548, Capitol Station  
 Austin, TX 78711-2548

*Server's address*

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7308 0049-Delivered 10/30/23.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

**CERTIFIED MAIL**

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage \$

Jason Owens, in his official capacity as  
 Chief of the US Border Patrol  
 c/o Stephanie Rico, Civil Process Clerk at  
 Office of US Attorney- WD of Texas  
 601 N.W. Loop 410  
 Total: *San Antonio TX 78216 5507*

Sent To

Street, Apt. No.,  
 or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1 Article Addressed to:</p> <p>Jason Owens, in his official capacity as            Chief of the US Border Patrol            c/o Stephanie Rico, Civil Process Clerk at            Office of US Attorney- WD of Texas            601 N.W. Loop 410  <i>San Antonio TX 78216</i></p> <p>2. Article Number (Transfer from service label)</p> <p>7004 1160 0000 7308 0049</p>	<p>A. Signature</p> <p><b>X</b> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail<sup>TM</sup>  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation<sup>TM</sup>  <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery</p>
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

[FAQs >](#)

Tracking Number:

[Remove X](#)**70041160000073080049**[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

## Latest Update

Your item was delivered to an individual at the address at 10:50 am on October 30, 2023 in SAN ANTONIO, TX 78216.

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#### Delivered

**Delivered, Left with Individual**

SAN ANTONIO, TX 78216

October 30, 2023, 10:50 am

#### Out for Delivery

SAN ANTONIO, TX 78246

October 30, 2023, 6:10 am

#### Arrived at Post Office

SAN ANTONIO, TX 78246

October 30, 2023, 2:58 am

#### Arrived at USPS Facility

SAN ANTONIO, TX 78246

October 29, 2023, 1:07 pm

#### Departed USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER

October 29, 2023, 4:10 am

#### Arrived at USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER

October 28, 2023, 2:20 pm

**Departed USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX

October 28, 2023, 2:15 pm

**Arrived at USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX

October 28, 2023, 9:40 am

**Departed USPS Regional Facility**

AUSTIN TX DISTRIBUTION CENTER

October 28, 2023, 8:04 am

**Arrived at USPS Regional Facility**

AUSTIN TX DISTRIBUTION CENTER

October 27, 2023, 11:37 pm

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**What Do USPS Tracking Statuses Mean?** (<https://faq.usps.com/s/article/Where-is-my-package>)

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## Need More Help?

Contact USPS Tracking support for further assistance.